

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP  
Attorneys for Defendants  
3 Gannett Drive  
White Plains, NY 10604  
(914) 323-7000  
Attn: Peter A. Meisels, Esq. (PM-5018)  
Lalit K. Loomba, Esq. (LL-9755)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x 07 Civ. 2916(CLB)

ARAZ ALALI,

Plaintiff,

-against-

ALBERTO DeBARA, individually, KYLE  
WILSON, individually, EDWARD AUSTIN,  
individually, GEORGE MARSHALL,  
individually, HUMBERTO MORRELL,  
individually, MATTHEW BRADY, individually,  
ANTHONY MUPRHY, individually, ROBERT  
GAZZOLA, individually, PATRICK J.  
CARROLL, individually, and the CITY OF NEW  
ROCHELLE, New York,

**NOTICE OF MOTION  
PURSUANT TO  
RULE 12(b) FOR A  
JUDGMENT DISMISSING  
THE COMPLAINT**

Defendants.

-----x

PLEASE TAKE NOTICE that upon the annexed declaration of Peter A. Meisels, dated May 24, 2007, the accompanying memorandum of law, dated May 24, 2007, and all the prior proceedings herein, the defendants Alberto DeBara, Kyle Wilson, Edward Austin, George Marshall, Humberto Morrell, Matthew Brady, Anthony Murphy, Robert Gazzola, Patrick J. Carroll and the City of New Rochelle will move this Court, before the Hon. Charles L. Brieant,

on June 22, at 10:00 a.m., or as soon thereafter as counsel may be heard, for an order, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, dismissing the complaint.

Dated: White Plains, New York  
May 24, 2007

Yours, etc.

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP  
Attorneys for Defendants



---

By: Peter A. Meisels (PM-5018)

3 Gannett Drive  
White Plains, NY 10604  
(914) 323-7000  
File No. 07367.00059

TO: LOVETT & GOULD, LLP  
Attorneys for Plaintiff  
222 Bloomingdale Road  
White Plains, NY 10605  
Attn: Jonathan Lovett, Esq.